

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MATTHEW P. DEC,

2:23-CV-00072-CCW

Plaintiff,

v.

BUTLER PA. COMMISSIONER AND
SOLICITOR, BUTLER PA. DISTRICT
ATTORNEY, ATT. BENJAMIN LEVINNE,

Defendants.

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On May 5, 2023, the Magistrate Judge issued a Report, ECF No. 7, recommending that the Complaint, ECF No. 6, filed by pro se Plaintiff Matthew Dec, who is proceeding *in forma pauperis*, be dismissed without prejudice pursuant to the screening provisions of 28 U.S.C. § 1915(e)(2) for failure to state a claim. Service of the Report and Recommendation was made on the parties, and no objections have been filed.

After a review of the pleadings and documents in the case, together with the Report and Recommendation, it hereby is **ORDERED** that Mr. Dec's Complaint, ECF No. 6, is dismissed without prejudice, the Magistrate Judge's Report and Recommendation, ECF No. 7, is adopted as

the Opinion of the District Court, and Mr. Dec is granted leave to file an amended complaint by **July 14, 2023.**

IT IS SO ORDERED.

DATED this 30th day of June, 2023.

BY THE COURT:

/s/ Christy Criswell Wiegand
CHRISTY CRISWELL WIEGAND
United States District Judge

cc (via United States mail):

Matthew P. Dec, pro se
215 Campbell Ave.
Butler, PA 16001